

1 HEATHER E. RICHARDSON, Bar #122664
2 Federal Defender
3 PEGGY SASSO, CA Bar #228906
4 Assistant Federal Defender
5 Designated Counsel for Service
6 2300 Tulare Street, Suite 330
7 Fresno, California 93721-2226
8 Telephone: (559) 487-5561
9
10 Attorneys for Defendant
11 JAMES LAMONT RICHARDSON

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14 IN THE UNITED STATES DISTRICT COURT
15 FOR THE EASTERN DISTRICT OF CALIFORNIA

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18 UNITED STATES OF AMERICA,
19 Plaintiff,
20 vs.
21 JAMES LAMONT RICHARDSON,
22 Defendant.

23 Case No. 1:97-cr-05129 JLT-1

24 **STIPULATION TO CONTINUE STATUS
25 CONFERENCE; ORDER THEREON**

26 Date: May 15, 2023

27 Time: 10:00 a.m.

28 Judge: Hon. Jennifer L. Thurston

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18 **IT IS HEREBY STIPULATED** by and between the parties through their respective
19 counsel that the status conference scheduled for March 27, 2023 at 10:00 a.m. should be
20 continued to May 15, 2023 at 10:00 a.m.

21 Mr. Richardson's § 2255 motion is before this Court on remand from the Ninth Circuit
22 for further proceedings in light of *United States v. Taylor*, 142 S. Ct. 2015 (2022). The parties
23 are continuing to work diligently towards achieving a joint recommendation to the Court for
24 resolution of this matter, and have made substantial progress towards that objective. Defense
25 counsel represents that she has encountered atypical difficulties arranging access to Mr.
26 Richardson through FCI Mendota where he is housed, which has added a layer of additional,
27 unanticipated, complication, particularly given that counsel had no substantive prior relationship
28 with Mr. Richardson upon which to build.

In light of the progress that has been made, and given the complexity of the procedural posture where some matters were resolved through a seven-day trial in 1999 and some matters were resolved through a plea agreement the following year, and where neither counsel for the government nor counsel for Mr. Richardson were involved in either disposition, a continuance of the status conference in this case is in the interest of justice and reflects the most judicious use of the Court's resources. The parties believe that with this additional continuance, by May 15, 2023, they will be able to establish the path forward, which will either involve a re-sentencing hearing pursuant to the joint recommendation the parties are working towards establishing, or, if such a resolution appears unattainable, then a briefing schedule will need to be set.

PHILLIP A. TALBERT
United States Attorney

DATED: March 22, 2023

By /s/ Kirk Sherriff
KIRK SHERIFF
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

DATED: March 22, 2023

By /s/ Peggy Sasso
PEGGY SASSO
Assistant Federal Defender
Attorney for Defendant
JAMES LAMONT RICHARDSON

ORDER

IT IS HEREBY ORDERED that the status conference scheduled for March 27, 2023 at 10:00 a.m. is continued to May 15, 2023 at 10:00 a.m.

IT IS SO ORDERED.

Dated: March 23, 2023


UNITED STATES DISTRICT JUDGE